

REMARKS

Claims 1–12 are pending in the present application.

Claims 3–7 and 11–12 were objected to in the Office Action as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims. Claims 3 and 7 were rewritten in independent form including all limitations of the base claim and any intervening claims; claims 4–6 and 11–12 depend from claims 3 and 7, respectively. Accordingly, claims 3–7 and 11–12 are believed to be allowable.

Reconsideration of the claims is respectfully requested.

35 U.S.C. § 102 (Anticipation)

Claims 1–2 and 8–10 were rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 5,668,601 to *Okada et al.* This rejection is respectfully traversed.

A claim is anticipated only if each and every element is found, either expressly or inherently described, in a single prior art reference. The identical invention must be shown in as complete detail as is contained in the claim. MPEP § 2131 at p. 2100-73 (8th ed. rev. 2 May 2004).

Independent claim 1 recites a table containing a latency for each stream type that a respective device that is a subject of the table is capable of processing. In an exemplary embodiment, a table contains a processing delay for each of MPEG2 or DV video, or for each of AC3 or MP3 audio. Such a feature is not found in the cited reference. In *Okada et al.*, the data tables contain internal

delay times for bit buffers, not delays associated with different stream types that the device is capable of processing.

Therefore, the rejection of claims 1–2 and 8–10 under 35 U.S.C. § 102 has been overcome.

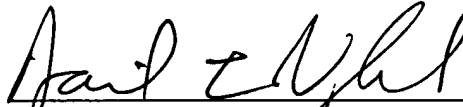
If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *dvenglarik@davismunck.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: 1-28-04



Daniel E. Venglarik
Registration No. 39,409

P.O. Drawer 800889
Dallas, Texas 75380
(972) 628-3621 (direct dial)
(972) 628-3600 (main number)
(972) 628-3616 (fax)
E-mail: *dvenglarik@davismunck.com*